

REMARKS

Claims 1, 3-17, and 19 are pending in the present Application. Claims 1, 13, and 14 have been amended. The Specification has been amended to correct certain typographical errors.

Claim 1 has been amended to correct typographical errors and to explicitly recite the amount of adhesion promoter present in the composition. Support for this amendment can at least be found in Paragraph [0037] as originally filed.

Claim 13 has been amended to correct a typographical error and to more explicitly claim the amount of adhesion promoter in the composition. Support for this amendment can at least be found in Paragraph [0037] as originally filed.

Claim 14 has been amended to correct a typographical error and to explicitly recite the amount of adhesion promoter present in the composition. Support for this amendment can at least be found in Paragraph [0037] as originally filed.

No new matter has been introduced by these amendments or new claims. Reconsideration and allowance of the claims are respectfully requested in view of the above amendments and the following remarks.

Claim Objections

Claims 1, 13 and 14 are objected to for typographical errors. These have been corrected by amendment. Applicants note that the text of the Office Action listed Claims 1, 10 and 14 as objected to but the text of the objection indicated that Claim 10 was not objected to but Claim 13 was. Amendments were made accordingly.

Claim Rejections Under 35 U.S.C. § 112, Second Paragraph

Claims 1, 13, and 14 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular, the Examiner has stated that formula (II) in Claims 1, 13 and 14 “causes confusion because it is not made to what the two open-ended bond of R^3 are bonded. In other words, is R^3 in the backbone or does the repeat unit only contain the glycidyl ether functionality?” (Office Action dated 7-12-07, page 3) Applicants

admit to being somewhat confused by the Examiner's rejection. The claims require that the epoxy groups be pendant and so the attachment to the backbone must be specified as it is here by R³. As such R³ is shown as having two bonds – indicating two points of attachment to the remainder of the backbone. This would be readily understood by one of ordinary skill in the art, particularly in light of the specification. Applicants do not understand the alternative interpretation presented by the Examiner and respectfully request clarification.

Claim Rejections Under 35 U.S.C. § 103(a)

Claims 1, 3-4, 6-8, 11-16, and 19 stand rejected under 35 U.S.C. § 103(a), as allegedly unpatentable over United States Patent No. 5,112,907 to Nishio, et al. (Nishio) in view of United States Patent No. 5,843,340 to Silvi, et al. (Silvi). Applicants respectfully traverse this rejection.

The independent claims as currently presented require that the composition contain less than or equal to 5 weight percent of the adhesion promoter or a combination of adhesion promoters. Applicants respectfully assert that this limitation is not taught in Nishio. Nishio teaches a composition comprising a copolymer of an ethylene-alpha-olefin, alkenyl aromatic and unsaturated carboxylic acid and optionally an epoxy compound. Nishio teaches that the copolymer is present in an amount of 5 to 100 parts by weight for 100 parts of the composition (Col. 4, lines 40-48). Nishio teaches a copolymer similar to the instantly claimed adhesion promoter but teaches its use in an amount that is double of the claimed amount. Furthermore Nishio actively teaches away from using amounts less than 5 parts by weight.

Furthermore, Applicants wish to draw the Examiner's attention to the data in Table 3. Table 3 shows that when the adhesion promoter is used in amounts greater than 2.5 weight percent the peel strength is actually lower than the comparative example which does not contain an adhesion promoter. This finding is surprising and unexpected.

Silvio has been cited for its teaching with regard to electrically conductive fillers and does not remedy the deficiency of Nishio. Therefore the combination of Nishio and Silvio fail to teach each and every limitation of the claims. For an obviousness rejection to be proper, the Examiner must meet the burden of establishing that all elements of the invention are disclosed in the prior art. *In re Fine*, 5 U.S.P.Q.2d 1596, 1598 (Fed. Cir. 1988). Applicants

believe that the amended claims are non-obvious because not all limitations are disclosed in the prior art.

Claims 5, 9, 10, and 17 stand rejected under 35 U.S.C. § 103(a), as allegedly unpatentable over United States Patent No. 5,112,907 to Nishio, et al. (Nishio) in view of United States Patent No. 5,843,340 to Silvi, et al. (Silvi) and further in view of United States Patent No. 6,353,050 to Bastiaens, et al. (Bastiaens). Applicants respectfully traverse this rejection.

Nishio and Silvio are discussed above. Bastiaens has been cited for its teaching with regard to polyester ionomers and metal salts. Bastiaens does not overcome the deficiencies of Nishio with regard to the pending claims.

Reconsideration and withdrawal of the rejections are respectfully requested.

It is believed that the foregoing amendments and remarks fully comply with the Office Action and that the claims herein should now be allowable to Applicants. Accordingly, reconsideration and allowance are requested.

If there are any additional charges with respect to this Amendment or otherwise, please charge them to Deposit Account No. 50-1131.

Respectfully submitted,

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